



## **Tuscaloosa Research and Education Advancement Corporation**

*Updated January 24, 2011*

### **Employee Manual**

**Mission:** To improve the health and quality of life of veterans through the advancement of clinical knowledge through research and education.

**Vision:** To be a premier non-profit organization contributing to high quality research and education.

**Values:** DEDICATION to the pursuit of high QUALITY and ETHICAL research and education that earns and maintains the TRUST and RESPECT of veterans, their families and other stakeholders.

## Notice To All Employees

Congratulations and Welcome on your employment with the Tuscaloosa Research & Education Advancement Corporation, Inc (TREAC). TREAC is a non-profit (501(c)(3) organization which was incorporated on September 27, 1991. It is affiliated with, but *legally distinct from*, the Veterans Affairs Medical Center of Tuscaloosa, Alabama. It was established to support the research and education activities of the staff of the Tuscaloosa VA Medical Center. The purpose of the Employee Manual is to bring together in a single convenient place a summary of the policies and procedures that affect you as an employee. ***If you have not yet read through the handbook, please do so now.*** During the course of your employment, refer back to it when you have questions. Be sure to note changes and updates as they are posted and distributed. Any questions that arise should be directed to the administrative staff at TREAC.

TREAC's main focus is to facilitate VA Research and Education. Funding from sources such as other government entities (e.g. DoD, NIH), other non-profits, voluntary agencies, private proprietary (e.g. drug) companies, and general donations supporting research can be administered by the Corporation.

TREAC is an Equal Opportunity employer and does not discriminate on the basis of sex, race, creed, color, national origin, age, physical or mental disability, veterans or citizenship status or sexual orientation. Any harassment, not limited to but including sexual, ethnic, or racial harassment, by another employee or manager will not be tolerated under any circumstances. Claims of any violation of this policy shall be reported to the Executive Director immediately. Please refer to Dept. of Veterans Affairs VA Medical Center Memorandum No. 00-021 "Equal Opportunity."

Employment and compensation may be terminated at any time, with or without notice, with or without cause, at the option of either TREAC or the employee. The employment relationship will be "at will," and will not be for any specified period of time. No supervisor or manager of TREAC, other than the President and Executive Director in writing signed by both parties, has the authority to enter into any other agreement for employment or to make any agreement contrary to the foregoing.

This manual neither implies nor establishes an employment contract between Tuscaloosa Research & Education Advancement Corporation (TREAC) and the employee. The contents of this Employee Handbook summarize current Corporation policies and procedures and are intended as a resource only. TREAC retains the right to change, modify, suspend, interpret or cancel in whole or in part any of the published or unpublished personnel policies or practices of the Corporation, without advance notice, in its sole discretion, without having to give cause or justification to any employee. Recognition of these rights and privileges is a term and condition of employment with the Corporation and do not extend beyond employment.

## TABLE OF CONTENTS

GENERAL INFORMATION .....	4
CATEGORIES OF EMPLOYEES .....	4
WOC APPOINTMENT AND LICENSURE .....	4
Transferring an Existing VA Employee to TREAC .....	4
Simultaneous Employment by TREAC and the VAMC.....	5
Employment of Minors .....	5
COMPENSATION POLICIES .....	6
WORK HOURS .....	6
ATTENDANCE / TARDINESS.....	6
OVERTIME.....	7
TIMESHEETS.....	7
PAYROLL COSTS .....	7
PAYROLL STATEMENT .....	8
ANNUAL LEAVE AND SICK LEAVE	
HOLIDAYS .....	9
WORK BREAKS .....	9
JURY DUTY .....	9
HEALTH INSURANCE .....	9
RETIREMENT PLAN .....	10
TRAVEL .....	10
STANDARDS OF CONDUCT .....	11
EMPLOYEE PERFORMANCE APPRAISALS .....	11
CONFLICT OF INTEREST .....	12
CONFIDENTIALITY .....	12
Whistleblower Protection and Guidelines for Reporting Improper Activity.....	13
COMMUNICATION .....	13
Electronic Mail / Computer System .....	13
Personnel Record.....	14
DRESS CODE .....	14
SMOKING.....	15
DRUG & ALCOHOL ABUSE .....	15
SAFETY.....	16
EMPLOYMENT DISCRIMINATION.....	16
GIFTS, ENTERTAINMENT AND FACTORS .....	16
EQUIPMENT.....	17
SEXUAL HARASSMENT .....	18
SCOPE OF POLICY .....	18
PROCEDURE .....	19
DISCIPLINARY ACTIONS.....	19
PROBLEM RESOLUTION PROCEDURE.....	19
TERMINATED EMPLOYEES .....	20
RESIGNATIONS .....	20
TERMINATIONS .....	20
NOTIFICATION.....	20
WORKER'S COMPENSATION .....	21
CONTACT PERSONS.....	21

This Handbook is designed to provide general information to assist Tuscaloosa Research & Education Advancement Corporation (TREAC) investigators in regards to employees of TREAC, and to provide employees with information about the Corporation and their responsibilities as employees. Although prepared in accordance with federal guidelines, this Handbook should be used in concordance with VA regulations concerning appointees without compensation (WOC).

## **GENERAL INFORMATION**

TREAC may employ full-time and part-time employees to carry out its research and educational projects. The length of employment for such individuals shall be indefinite, with no time commitments made. The hiring, termination, assignment of duties, and the determination of reasonable salary levels shall be made upon the recommendation of the responsible representative of the Corporation. Prior to any hiring, the responsible representative shall submit to the Executive Director a memorandum listing the duties, responsibilities, qualifications, and proposed salary (per annum or per hour). After this memorandum has been approved, a commitment may be made to the proposed hiring.

## **CATEGORIES OF EMPLOYEES**

**Exempt and Professional Exempt** employees are working in salaried positions and are exempt from the Fair Labor Standards Act, the Federal Law that requires payment for overtime work. Exempt and Professional Exempt staff are employed in jobs that are primarily professional or supervisory and which carry responsibility for discretionary and independent judgments regarding medical decisions, general business operations, and administrative policy.

**Non-exempt** staff employees are those who must be paid for overtime work.

## **WOC Appointment and Licensure**

All TREAC employees who are not VA employees must have a WOC (without compensation) appointment from the Tuscaloosa VA Medical Center. Employees should contact the Administrative Officer of the Research Service to arrange this appointment.

Licensed employees (RN, MSW, etc) of TREAC should annually present proof of their licensure to the VA Office of Credentialing for documentation and verification.

## **Transferring an Existing VA Employee to TREAC**

As funds to support research fluctuate, it is frequently necessary to pay salary support for research assistants and other employees from different sources. If the person being hired is transferred from another position at the VAMC, then a formal recruiting process does not need to be followed.

### Simultaneous Employment by TREAC and the VAMC

Part-time or full-time VA employees may be hired as part-time employees of TREAC. Initiation of the part-time TREAC employment must be accomplished through the procedures described in the previous section. If the individual being hired is an investigator, the Coordinator for Research and Development will be asked to approve the hiring and a specific plan for weekly schedules of work will be required.

*No VA employee may work for TREAC on government time.* Federal regulations state an individual may have only one (1) salaried federal appointment at any given time. VA employees who perform work for the Corporation that is outside the scope of their VA duties and responsibilities can receive income from the outside source (e.g., a Corporation) provided the work is not performed during Government duty time and the work is not related to VA duties. For example, a VA employee who is a bookkeeper during duty hours can perform Corporation bookkeeping functions during non-duty hours and not violate 18 U.S.C. subsection 209. A VA physician conducting VA research during VA duty hours cannot be compensated by the Corporation for work performed on the same peer reviewed, approved research activity, even if the work is performed during non-VA duty hours. NOTE: VA employees may request an irregular VA tour of duty, subject to approval by their Supervisor that is consistent with the requirements of permissible outside activities. A VA employee may not receive pay from TREAC at the direction of the employee's federal supervisor for services performed off-duty which is part of that person's official VA duties. VA employees who work for TREAC during their non-VA duty hours should receive a WOC appointment for their TREAC duties.

It is the responsibility of both the PI and the employee to assure that appropriate records are maintained to document the absence of conflict between TREAC-supported work and VA duties. These records should include a letter of agreement between the PI and the employee outlining anticipated duty hours and responsibilities. The time sheet should then be consistent with this agreement.

### Employment of Minors

Applicants who are minors must provide the state required work permit(s) to the TREAC Administrative Office. Minors will be paid no less than minimum wage. Tours of duty for minor employees will be based on the minor's age in accordance with Alabama State labor restrictions.

## COMPENSATION POLICIES

The Tuscaloosa Research & Education Advancement Corporation (TREAC) aims to pay employees fairly for the duties they perform. We compare our pay to other organizations similar in size, geographic area, and scope as well as VHA established pay scales, within our resources. The compensation classification system neither implies nor establishes a contract between Tuscaloosa Research & Education Advancement Corporation (TREAC) and the employee. The system will be followed as much as possible when funding allows and performance merits. Salary increases are not automatic. TREAC retains the right to change, modify, suspend, interpret, or cancel in whole or in part any portion of the system, without advance notice, in its sole discretion, without having to give cause or justification to any employee. Recognition of these rights and privileges is a term and condition of employment with the Corporation and do not extend beyond employment.

TREAC and VA employee pay periods coincide. Pay periods are two weeks long beginning on Sunday and ending on Saturday. Employees are paid every other Friday, and the check received is for the previous pay period, which ended six days before. Employees are required to receive their paycheck by direct deposit to a financial institution (bank or credit union).

### Work Hours

The work hours for **Exempt and Professional Exempt** staffs are determined by time needed to fulfill their specific job responsibilities rather than by schedules or shifts.

**Non-Exempt** employees will ordinarily work eight hours Monday through Friday with the exact scheduled hours to be determined by each supervisor. Variable shifts will not be arranged except under special circumstances. TREAC, prior to their implementation, must approve these exceptions in writing.

Hours of work duty are negotiated between the Executive Director of TREAC, the Principle Investigator (PI) and TREAC employee prior to employment. These hours are recorded on the timesheet. All full-time administrative personnel will be given the standard VA tour of duty (8:00 a.m. – 4:30 p.m., Monday through Friday with a 30-minute lunch and two 15-minute breaks). If an employee's tour of duty is not the standard 8:00 a.m.- 4:30 p.m., the TREAC administrative office and the PI should be notified of arrival and leave time. (Please note contact information on page 21.) All employees are required to be on duty during the full period of their tours of duty unless absent on approved leave; to observe the opening and closing hours established for the tour of duty; and to adhere to the length of the established luncheon break.

### Attendance / Tardiness

An employee is expected to report to work at his/her established starting time. If the employee is absent or unavoidably detained, he/she should notify his/her supervisor within one hour of the normal starting time. Not only is prompt notification a matter of

courtesy, but it permits the supervisor to make any necessary adjustments to work assignments in a timely manner.

Employees are expected to be at work on time and to work the full number of duty hours. The TREAC administrative supervisor and clinical supervisor (PI or ACOS Research) should approve planned absences as far in advance as possible. If you are unable to give advance notice but must be absent from work, please call the TREAC administrative supervisor as well as the clinical supervisor **as soon as possible**. TREAC employee's administrative supervisor is the Executive Director of the corporation.

If you fail to report to work for three consecutive workdays without notification to your supervisor, you will be deemed to have voluntarily resigned your position. Repeated violation of the TREAC attendance policies will be cause for written warnings, possible discipline and/or eventual termination.

### **Overtime**

In accordance with the Fair Labor Standards Act (FLSA) non-exempt employees (both full- and part-time) are entitled to the prevailing minimum wage and overtime pay at a rate of 1.5 times their regular rate of pay after 40 hours of work in a workweek. Overtime rate of pay will be granted for only actual hours worked in excess of 40 hours per week. The employee's TREAC and clinical supervisors (PI or ACOS) must authorize any overtime work in advance. All overtime must be calculated prior to supervisor's signing the time sheet and before turning the time sheet into TREAC.

### **Timesheets**

Employees are responsible for turning in their time sheets. A time sheet must be submitted to the TREAC Executive Director for every employee no later than 10 a.m. Monday morning, following each biweekly pay period. Blank time sheets are available electronically or from the TREAC administrative office. It must be completed in full and signed by the employee's authorized TREAC supervisor and clinical supervisor. All employees whether hourly and salary, research or administrative, must submit a time sheet for each biweekly pay period.

*The signature must be an original signature. Photocopied time sheets (with photocopied signatures) are not allowed.*

### **Payroll Costs**

All employees incur costs for payroll, taxes and insurance (if applicable). These costs will be charged to the investigators or deducted from the employees' paychecks. Withholding for state and federal taxes will be made for all employees and will be deducted from their paychecks; the amount withheld for Federal and State income taxes depends on an employee's gross earnings and the number of exemptions claimed.

An employee's payroll deductions for Social Security (FICA) are matched by TREAC in accordance with Federal law. The total amount is paid to the Federal Government to fund the Social Security benefit program. Medicare taxes are assessed and deducted in part from employees' paychecks and in part from the investigator's account. Assessments for health insurance premiums are described below.

### **Payroll Statement**

The employee's earnings statement for the direct deposit paycheck will be mailed to the TREAC Administrative Office and available to the employee during the week of payroll. The statement will indicate the gross pay and each deduction; the amount withheld for Federal and State income taxes depends on an employee's gross earnings and the number of exemptions claimed.

### **Annual Leave and Sick Leave**

All full-time TREAC employees will accrue 4 hours of annual leave (104 hours per annum) and 4 hours of sick leave (104 hours per annum) per biweekly pay period. After three years, leave will increase to 6 hours of annual leave (156 hours per annum) and 4 hours of sick leave per biweekly pay period. Annual leave and sick leave are charged in quarter-hour increments. Part-time employees on regularly scheduled tours of duty earn leave on a prorated basis according to the number of hours they work. Time that is not used through the course of the year may be carried over to the next year. Maximum leave accrued and carried over will not exceed 30 vacation days (240 hours). Sick leave is also accrued from year to year but without limit. Employees wishing to use accrued leave should submit a leave request and all leave taken must be approved by the TREAC supervisor and PI supervisor, as well as documented on the leave application and biweekly time sheet.

**Annual Leave** is provided and used for annual vacation periods for rest and relaxation and to provide time off for family needs and emergency purposes. Annual leave schedules will be arranged to provide minimum disruption of work, to encourage vacations of up to two consecutive weeks, and to avoid forfeiture of annual leave. Annual leave must have approval by the TREAC and PI supervisors at least two (2) weeks prior to the scheduled leave, if possible. Supervisors may disapprove the request for annual leave if the time requested would cause unacceptable disruption of work.

**Sick Leave** may be used when an employee is sick; for medical, dental, or eye examinations and treatment; unable to perform duties because of mental or physical injury, maternity or paternity leave. When an employee has been on sick leave for more than three (3) consecutive workdays, a physician's medical certification will ordinarily be required. An employee may also use accrued sick leave time for family care purposes, including sickness and death. This would include care for a family member who is incapacitated by a medical or mental condition; provide care to a family member receiving medical, dental, or optical examination or treatment; the need to provide care required from death of a family member or to attend the funeral of a family member.



TREAC defines family members as spouse, parents, spouse's parents, children, including adopted children, and their spouses and spouse's parents, brothers and sisters and their spouses, and individual related by blood or affinity whose close association with employee is the equivalent of a family relationship. Sick leave used for family care is limited to no more than a total of twelve (12) weeks per calendar year. Employees are accountable for statements relating to annual and sick leave noted on leave applications along with time and attendance reports.

## **Holidays**

Full-time employees of TREAC receive 10 paid holidays per year, which consist of the following:

New Year's Day	Labor Day
Martin Luther King, Jr.'s Birthday	Columbus Day
George Washington's Birthday	Veteran's Day
Memorial Day	Thanksgiving Day
Independence Day	Christmas Day

In the event an extra holiday is given to federal employees, TREAC full-time employees will also be given the same holiday. Should supervisors **require** their full-time employees to work during a holiday, the employee shall be given regular pay for the hours worked on the holiday in addition to holiday pay. As with any work beyond normal duty hours, supervisors must notify the TREAC Administrative Office of their approval for such work to be done. Part-time employees do not receive holiday pay.

## **Work Breaks**

For employees who work six hours or longer in a day, a meal period of 30 minutes is required. The employee must be relieved of all duty during this time. If the employee cannot be relieved, then the meal period time must be paid. Otherwise, the employee need not be paid for the 30-minute meal period. A paid meal may be as short as 20 minutes. The scheduling of meal periods is flexible and depends on the length of the workday. Paid rest periods of at least ten minutes for adults (15 for a minor) must be provided during each four-hour work period. *Break periods should not be used to extend a lunch period, work overtime, or leave early.*

## **Jury Duty**

Employees summoned to perform jury duty may request authorized absence for jury activities. Part-time employees are encouraged to arrange their work schedule to comply with jury duty, since leave for jury duty for part-time employees is not paid.

## **Health Insurance**

Health insurance will be made available for any **full-time** employee of TREAC who has worked for TREAC or the VA for 30 days. Single and family coverage plans are available. If enrolled, the employee will be responsible for 25% of the insurance premium and TREAC will pay 75% for family or individual plans. The employee portion will be paid through payroll deduction. Unless otherwise specified the co-pays and etc. will be the responsibility of the employee.

### **Retirement Plan**

All full-time TREAC employees may participate in the Corporation's 401k after 30 days of employment. Applications are available through the TREAC Administrative Offices. 401k contributions are pre-tax dollars deducted from the employee's biweekly paycheck. At present, TREAC matches 100% on the first 3% and 50% on the next 2% of an employee's yearly salary. There is not a match for anything past 5%. Employees no longer employed by TREAC may roll over any 401k contributions into another retirement plan by contacting the plan administrator.

### **TRAVEL**

Employee travel is at the discretion of the employee's TREAC supervisor and the PI. Travel will be limited to trips necessary for job duty completion or when justification is such that optional training will benefit the corporation. All travel requests should include a copy of the program material (i.e. program announcement, agenda, etc.) or copy of the abstract or invitation letter noting R&D approval date when making a presentation. A memo requesting funds for travel must be completed/submitted a minimum of 4 weeks prior to travel.

If an employee desires that the Corporation pay for registration fees directly, the request (TREAC Expense Report accompanied by registration form) must be submitted to the TREAC supervisor at least 2 weeks prior to any registration deadlines with the deadlines highlighted.

All travel expenses will be accrued by the traveler and will be reimbursed upon return with submission of a completed travel expense form with original boarding pass, conference ID badge or certificate of continuing education, original expense receipts, and other applicable receipts as specified below. Airfare and hotel rate and tax only can be charged to the corporate credit card in very rare incidents based on need. Receipts must be submitted within 15 calendar days for reimbursement. The Corporation reserves the right to deny any reimbursement for past due receipts.

Per Diem lodging for non-government grant funds will be reimbursed at the conference rate of the hosting hotel. If the hosting hotel has no vacancy at the conference rate, the per diem lodging shall not exceed \$250 per night. An itemized hotel bill is required for reimbursement of per diem lodging. This bill can not include any charges other than

room charges and related taxes. No room service or beverage charges are to be added to the hotel bill.

Per Diem for meals (**not including alcoholic beverages**) and incidental expenses (tips, costs of cabs, buses, or parking, etc.) will be reimbursed. Reimbursement for meals and incidental expenses (M&IE) will be made at the published Federal Per Diem rate. Reimbursement requests for cab fare should be accompanied by receipt.

Reimbursement for mileage will be according to the published federal mileage reimbursement rate. Cost of airfare shall be at the coach rate unless justified and approved by the Executive Director or Board Chairperson of TREAC. An airline passenger receipt is required for reimbursement. TREAC will not reimburse for the cost of a rental vehicle. TREAC will reimburse for any reasonable costs associated with shuttles from airports or taxicabs. TREAC discourages the use of rental vehicles. Should a traveler choose to rent a vehicle, TREAC will not assume any liability for its use or operation.

Overtime will be paid only for travel time when the travel is necessary and required by the corporation to perform job duties and when required travel occurs on weekends or extends past normal duty hours. During travel, when overtime is warranted, it will be paid for hours of travel during normal tour of duty- 8:00 a.m. – 4:30 p.m. Overtime will not be paid to TREAC employees who choose to stay on weekends when conference is not in session or when travel is at the request of the employee.

Note: TREAC personnel traveling on Corporation funds cannot use government rate airfares. If you make changes to your ticket for which there are charges, you or your project will be charged for the changes. Generally, cost is reduced with a Saturday night stay over. If you can document that the cost for the hotel / per diem for the extra day is equal to or less than the difference in air travel with the Saturday night stay over, you may take advantage of this option.

## **STANDARDS OF CONDUCT**

Employees have the right to expect fair and considerate treatment and decent working conditions as well as genuine concern from their supervisor/TREAC for themselves as individuals. In return, employees are expected to work industriously, cooperatively, and faithfully in their duties. Employees are also expected to avoid misconduct and conflicts of interest, and to be courteous and act honorably both on and off duty.

Employees are required to be at work each day as scheduled unless on approved leave or excused absence. Failure to notify their supervisor and to request appropriate leave for an absence may be considered cause for disciplinary action.

## **Employee Performance Appraisals**

In an effort to maintain the highest standards for your employment, TREAC has instituted an annual performance review. If you have been employed by TREAC for 6 months by September 30 of each year, you will be evaluated with an Employee Appraisal by the end of each November. Your supervisor will fill out the Appraisal, go over it with you, and allow you the opportunity to comment. After the review is completed, the investigator will return it to the TREAC administrative office for final review and filing in your personnel record. The performance appraisal is an opportunity to receive and provide feedback on your performance. It should be seen as a tool to communicate areas of strength and potential areas to improve your performance.

### **Conflict of Interest**

We expect employees to avoid situations that might cause their personal interests to conflict with the interests of our Corporation or to compromise its reputation or integrity. A conflict of interest, or the appearance of one, occurs when you or a member of your immediate family uses your position with us for personal benefit through an investment, association, or business relationship that interferes with your ability to exercise independent judgment on our behalf. Employees are not to attempt to accomplish indirectly, through family members or any other means, that which they are prohibited from doing directly. All TREAC employees are subject to Federal statutes and regulations applicable to Federal employees with respect to conflicts of interest in the performance of official duties. Each employee shall sign a "Standards of Ethical Conduct and Related Responsibilities of Employees" statement certifying awareness of, and compliance with, these laws and regulations. This form may be obtained from and submitted to the Office of the Executive Director.

Employees should remain informed of conduct requirements, both for TREAC and VA WOC appointees, since failure to observe these requirements may result in appropriate disciplinary action.

### **Confidentiality**

**Patient Confidentiality:** As staff of a biomedical research organization, TREAC employees have access to highly personal and sensitive clinic information regarding its research subjects. TREAC staff must safeguard and hold confidential all such personal information and may gain access to or disclose it only for legitimate research purposes.

**Sponsor Confidentiality:** All staffs have a responsibility to recognize the special relationship of trust between TREAC and its sponsors who support its research activities. TREAC staff may gain access to or disclose proprietary business information only for legitimate research purposes. All proprietary business information about TREAC and its sponsors must be treated in a confidential manner.

**Employee Confidentiality:** All employment-related information about other TREAC staff members must be treated in a confidential manner. Employees may not gain access to or disclose such information without proper authorization

This Confidentiality Policy is critical to TREAC's purpose and function. Information obtained during performance of duties and/or work assignments belongs to the Medical Center. Use of it by individuals for their own purpose and/or gain is a violation of the VA Code of Organizational Ethics and misuse of US Government property. (CM 00-09) Any employee who violates it is subject to disciplinary action, up to and including termination.

### **Whistleblower Protection and Guidelines for Reporting Improper Activity**

TREAC encourages its employees to report any suspected or actual illegal or improper activity. TREAC will not condone any activity that is illegal or improper, whether done by a Board Member, the Executive Director, any TREAC investigator or employee.

Conduct that may fall into the category of illegal or improper: fraud, theft, safety violations, and improper use of authority, gross waste of funds, harassment, or retaliation. Employees should report any improper or illegal events or actions they believe in good faith to have occurred.

Report any activities, which you believe in good faith to be illegal or improper to the Executive Director. If the concern involves the Executive Director, report the improper activity to the President of the Board of Directors for Tuscaloosa Research and Education Advancement Corporation.

TREAC will strive to keep your identity confidential, but this cannot be guaranteed. You may be called as a witness in any criminal investigation. Any employee who feels that adverse action has been taken toward him/her due to a report of improper activity should report as soon as possible in writing to the Executive Director or the President.

TREAC supports fully reporting improper activity; however, any report made maliciously or for personal gain, will of itself be regarded as misconduct and subject to discipline.

### **Communication**

TREAC will use internal memos to distribute information to employees in those cases where every employee needs his or her own copy of the subject matter. It is important to remember that these memos deal with internal information and should not be shared with anyone other than TREAC employees.

### **Electronic Mail / Computer System**

The electronic systems (hardware, software, and networks) provided to TREAC employees to use at work, or in conjunction with their work, are the property of TREAC and/or the Department of Veterans Affairs. These systems are to be used exclusively for work-related matters. Therefore, no one should do anything that interferes with the network or with the work of others.

**Use of these systems for personal business or other personal uses is a violation of company policy and federal policy and will subject the violators to appropriate disciplinary action up to and including termination.** There is to be no display or transmission of sexually explicit images, messages or cartoons, or any transmission of electronic mail communications that contain ethnic slurs, racial epithets or anything that may be construed as harassment or disparagement of others based on their race, national origin, sex, sexual orientation, age, disability, or religious or political beliefs. TREAC has a legitimate business interest in all materials generated by, transmitted through, or stored in these systems, in ensuring the use of these systems is within the requirements of this policy and in monitoring adherence to this policy. **TREAC reserves the right to audit these systems and their contents at any time, without specific prior notice.** However, individual employees and supervisors should not attempt to gain access to another employee's computer or electronic mail messages without the latter's expressed permission.

### Personnel Record

TREAC requires accurate, up-to-date information regarding each employee's address, telephone number, marital status, and other pertinent information for use in an emergency and for formal records such as W2 forms. If an employee changes his/her home address or phone number, or other pertinent information, the Research Office and Office of the Executive Director must be notified. You may review your personnel records at any mutually convenient time. If you wish to do so, please notify the administrative staff of TREAC so that a specific time may be scheduled when appropriate personnel will be available to answer your questions. Any concerns regarding the completeness or accuracy of the information contained in your files should be taken up with your supervisor or TREAC administration. Examination of personnel files will generally be limited to normal business hours.

### **Dress Code**

Dress code is primarily based on the individual employee's job description. Overall, employees are expected to maintain a neat, clean, well-groomed appearance. It is requested that employees demonstrate the good taste necessary to maintain the appropriate business image. An employee may be sent home if, in the supervisor's judgment, his/her dress or appearance is deemed inappropriate. Please refer to Dept. of Veterans Affairs VA Medical Center Memorandum No. HRMS 05-04 "Employee Dress Code Policy".

## **Smoking**

The VA hospital is a non-smoking facility. Employees wishing to smoke should ask about the nearest designated smoking area. Please refer to Dept. of Veterans Affairs VA Medical Center Memorandum No. 00-002 "Smoke-Free Policy".

## **Drug & Alcohol Abuse**

Possession or use of alcohol or illegal drugs at TREAC is expressly prohibited. Employees may not use intoxicants in such a manner that his/her work performance is adversely affected or his/her conduct becomes embarrassing to TREAC. An employee should notify the VA Police if any person on Medical Center grounds is:

- Observed using alcohol or illegal drugs
- Considered to be under the influence of alcohol or drugs
- Observed with possession of alcohol or illegal drugs

A description and location of the offender should be provided. If a person operating a motor vehicle on Medical Center grounds is considered to be under the influence of an intoxicant, the employee should report to the VA Police the vehicle's description, direction of travel, and license plate number.

For purposes of this policy, the possession or use of prescribed medications, by the person for whom they are prescribed and consistent with such prescription, shall not be deemed a violation of this policy.

Any employee found to be abusing drugs and/or alcohol will be required to satisfactorily complete a drug and alcohol rehabilitation program. Based on the employee's performance, his or her employment may be terminated.

## **Safety**

Safety is everyone's business. Everyone at TREAC and the VA are committed to maintaining a healthy and safe workplace. We expect each employee to share this commitment. His/her supervisor will cover specific safety matters that pertain to the employee's workstation. The Supervisor is responsible for ensuring each employee receives training on the proper safety techniques and procedures. The employee is obligated to use any applicable protective equipment prescribed for his/her job.

The most critical elements in practicing safety are being careful and using common sense. Each employee should be continuously aware of his/her actions and environment to avoid dangerous situations. It is the responsibility of the employee to report any injuries or unsafe situations to his/her supervisor.

## **Employment Discrimination**

**All TREAC employees will comply with the VA's Equal Employment Opportunity Policy and with all requirements of applicable federal, state, and local law.** TREAC is an Equal Opportunity employer and does not discriminate on the basis of sex, race, creed, color, national origin, age, physical or mental disability, veterans or citizenship status or sexual orientation. Any harassment, not limited to but including sexual, ethnic, or racial harassment, by another employee or manager will not be tolerated under any circumstances. Claims of any violation of this policy shall be reported to the Executive Director immediately. Please refer to Dept. of Veterans Affairs VA Medical Center Memorandum No. 00-021 "Equal Opportunity".

### **Gifts, Entertainment and Factors**

A. Except as provided in paragraphs B and F of this section, an employee shall not solicit or accept directly or indirectly for himself or any member of his family, any gift, gratuity, favor, entertainment, loan or anything of monetary value from a person, individual corporation, company, association, firm, partnership, society, joint stock company, or any other organization or institution who:

1. Has or is seeking contracts or other business or financial relations with the Department of Veterans Affairs.
2. Conducts operations or activities regulated by the Department of Veterans Affairs.
3. Has interests that may be substantially affected by the performance or non-performance of his official duty.
4. Is attempting to influence the employee's official actions.

B. The restrictions set forth in paragraph A. of this section do not apply when:

1. It is clear that the motivating factor is the family or personal relationship (such as that between the employee and his parents, children or spouse) rather than the business relationship of the persons concerned.
2. Food and refreshments of nominal value are infrequently accepted when offered in the ordinary course of a coffee break, luncheon or dinner meeting or other meeting while on official business or on an inspection tour where an employee may properly be in attendance.
3. Loans from banks or other financial institutions are sought on customary terms to finance proper and usual activities of employees such as home mortgage loans.
4. Advertising or promotional materials unsolicited and of nominal intrinsic value (such as pens, pencils, note pads or calendars).



5. Common courtesy gifts (flowers, etc.) are indicated on appropriate occasions.

C. An employee shall not solicit a contribution from another employee for a gift to an official superior, make a donation as a gift to an official superior, or accept a gift from an employee receiving less pay than himself. However, this paragraph does not prohibit a voluntary gift of nominal value or donation in a nominal amount made on a special occasion such as marriage, illness or retirement.

D. An employee is prohibited from accepting gifts or gratuities such as goods, money, services, purchases at discount, entertainment or similar favors from claimants, patients, ex-patients, or other beneficiaries of the Department of Veterans Affairs, or their relatives, friends or agents, since it could be interpreted that the favors are in return for official services rendered. The Secretary of the Department of Veterans Affairs may authorize exceptions to this prohibition where such action would not contravene the overall intent of this part.

E. An employee shall not accept a gift, present, decoration or other thing from a foreign government unless authorized by Congress as provided by the Constitution and in 5 USC 7432.

F. Neither this section nor 735-12 precludes an employee from receipt of bona fide reimbursements, unless prohibited by law for expenses of travel and such other necessary subsistence as is compatible with this part for which no government payment or reimbursement is made. However this paragraph does not allow an employee to be reimbursed, or payment to be made on his behalf for excessive personal living expenses, gifts, entertainment or other personal benefit nor does it allow an employee to be reimbursed by a person (individual, corporation, company, association, firm, partnership, society, joint stock company or any other organization or institution) for travel on official business under the Department of Veterans Affairs orders when reimbursement is proscribed by Decision B-128527 of the Comptroller General dated March 7, 1967.

## **Equipment**

All capital equipment purchased with Corporation funds will be labeled as TREAC property and inventoried as to location and assignment. Records on all equipment are to be maintained in the TREAC offices and an inventory conducted annually. All capital equipment remains the property of the Corporation until the Board determines the appropriate distribution. Cellular phones will not be issued except on a case by case basis as approved by the Board of Directors.

From time to time, sponsors deliver its property to TREAC for use in connection with TREAC contracts. While in the custody of TREAC, all such sponsor property must be strictly accounted for until it is returned to the sponsor or otherwise disposed of at the direction of the sponsor. To prevent the incurrence of civil and criminal penalties by both TREAC and its employees, TREAC employees must not use sponsor property in any manner other than as directed by the employee's supervisor. In no case may such sponsor-furnished items be used for any purpose other than in connection with the

contract for which the property was provided. If you are ever unsure of whether a certain piece of property is sponsor property, or whether your use of it would constitute unauthorized use, consult your supervisor.

## **SEXUAL HARASSMENT**

Tuscaloosa Research & Education Advancement Corporation is vigorously committed to maintaining a working environment free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated.

### **Scope of Policy**

1. Sexual harassment is:
  - a. any form of sexually offensive touching or verbal conduct, including, but not limited to, requests for sexual favors, unwelcome sexual advances, or sexually offensive comments which create a hostile or offensive working environment; and
  - b. the use of or inference that, an employee's submission to or rejection of such conduct, is or may be used as, a basis for employment decisions affecting the employee.
1. Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as a favorable review, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.
2. Although it is not possible to list all instances of sexual harassment, the following are some examples of conduct which if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:
  - a. Sexual advances (whether they involve physical touching or not)
  - b. Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess
  - c. Displaying sexually suggestive objects, pictures, cartoons
  - d. Leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments
  - e. Inquiries into one's sexual experiences
  - f. Discussion of one's sexual activities
3. The above prohibitions apply to all supervisors, all non-supervisory employees of the Corporation, and to visitors to the Corporation. Thus, for instance, this policy prohibits non-supervisory employees from creating an offensive working

environment for fellow employees as well as prohibiting offensive supervisory conduct.

### **Procedure**

1. Employees are encouraged to report sexual harassment because the Corporation cannot take corrective action without being made aware of the problem.
2. Employees, at their option, should report sexual harassment complaints to a supervisor other than the alleged offender. A female employee who prefers to make a complaint to a female member of the staff will be accommodated. Supervisors must promptly report all sexual harassment complaints to the Executive Director. Complaints should be as specific as possible as to the date, time, place and nature of incidents complained of, as well as whether there are any witnesses to the misconduct.
3. The Executive Director or his/her designated representative shall promptly conduct a thorough confidential investigation of the alleged misconduct.
4. If, upon completion of its investigation, TREAC determines that prohibited conduct did occur, it shall promptly implement corrective and disciplinary action, including the possibility of discharge of offending persons.
5. Retaliation against employees for filing a sexual harassment complaint, or cooperating in a sexual harassment investigation, is unlawful.

### **Disciplinary Actions**

Although few employees face disciplinary actions, employees should be aware that such actions can occur. Disciplinary actions may include, but are not limited to, admonishment, reprimand, suspension, reduction in pay, or termination. Violation of VHA policies and procedures governing WOC appointees may result in the employee's WOC appointment being revoked. Revocation of a WOC appointment will severely jeopardize the employee's future employment with the Corporation. Some violations are also crimes, punishable under federal or state law.

### **PROBLEM RESOLUTION PROCEDURE**

If an employee has questions, complaints, or individual problems, he/she should discuss them with his/her supervisor first. If the employee does not feel comfortable in discussing the matter with his/her supervisor, or if the employee does submit the matter to the supervisor and the supervisor is not able to resolve the matter, the employee should submit the matter in writing to the Executive Director. If mutual agreement cannot be reached, the employee may bring it to the attention of the TREAC's President. After due

consideration, a decision will be made by the President as to the resolution of the issue. The decision of the President shall be final, and not subject to further review

## **TERMINATED EMPLOYEES**

### **Resignations**

Employees leave a position for a number of reasons. TREAC seeks to retain good employees, but understands that situations change. Employees are asked to provide as much written notice to TREAC as possible of their intention to resign. The original resignation letter is to be forwarded to the Executive Director a minimum of two weeks in advance of the resignation date. TREAC has the right to pay the employee for two weeks, rather than having the employee work out his/her notice period.

### **Terminations**

An employee termination initiated by TREAC for any reason is considered to be a dismissal. Termination usually occurs for less than satisfactory performance or reduction in the work force.

TREAC strives to treat employees in a fair and equitable manner. In situations where an employee's performance or attendance fails to meet acceptable standards, the employee may be given the opportunity to correct the situation and improve performance. However, there may be situations in which, in management's sole judgment, the circumstances are such that immediate termination is appropriate.

### **Notification**

Supervisors are required to submit a memo to the TREAC Executive Director when an employee or Supervisor (PI or Executive Board) terminates employment. *This memo is due no later than the employee's last day of work.* The memo should contain the following information:

1. Employee name
2. Last day of employment
3. Why the employee is terminated (e.g., project ended, employee quit, fired, etc.)
4. Why the employee was fired, if applicable. (This is not required under an "at will" agreement.)
5. The total dollar amount of employee annual leave to be paid
6. Employee's current address and home phone number

Unused annual leave will be paid as a lump sum on the employee's final paycheck. However, unused sick leave will not be paid. The balance of unused sick leave will be held for three years; should the employee again be hired by the Corporation within those three years, the balance of sick leave will be credited to the employee.

Employees are expected to turn in all items assigned for employee use, such as keys, coats, pagers, and research supplies/equipment/documents prior to issuance of the final check.

## **WORKER'S COMPENSATION**

Employees of TREAC are covered by the Worker's Compensation system administered by the State of Alabama. Any on the job injury involving an employee must be reported immediately to the TREAC Administrative Office, regardless of severity. Employees with injuries will then be referred immediately to the Employee Health Clinic at the VAMC. The employee's supervisor must prepare a detailed report of all circumstances involving the injury. The Supervisor's Report of Injury Form must then be completed and submitted to the TREAC Administrative Office. The employee should turn in any medical bills resulting from the injury to the TREAC Administrative Office for processing for reimbursement. Employees of TREAC who are also VA employees would be covered under the VA's Workers Compensation if the injury occurred during his/her normal tour of duty.

## **CONTACT PERSONS**

Chief of R&D: Lori L. Davis, M.D., Bldg. 2, Room 212,  
Phone (205) 554-2000, ext. 3819

TREAC Human Resources/Fiscal Officer: Anita Davis, Bldg. 5, Room 122,  
Phone (205) 554-2000 ext. 3258

TREAC Administrative Office and Executive Director: Sandra Creel, Bldg. 5,  
Room 121, Phone (205) 554-2000, ext. 2840

VISN 7 Pharmacy Benefits Manager, Dr. Joette Lowe, Bldg. 6,  
Phone (205) 554-3589